

**BERNSTEIN LIEBHARD LLP**

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STANLEY D. BERNSTEIN  
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April 12, 2019

**BY ELECTRONIC MAIL (gdwyer@rc.com)**Sentinel Insurance Company, Limited  
c/o Robinson & Cole LLP  
280 Trumbull Street  
Hartford, Connecticut 06103-3509

Attn: Gerald P. Dwyer, Jr., Esq.

Re: Bernstein Liebhard LLP v. Sentinel Insurance Company, Inc.  
Index No.: 652726/2015  
Our File No.: 15-203 JCL

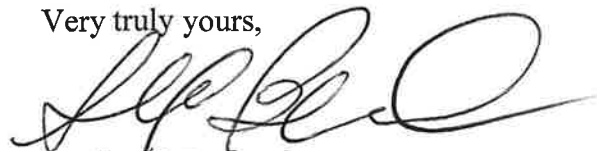
Dear Kip:

As you know, in the First Department's June 28, 2018 decision, it held that "the loss of business income provision here covers fees that, if not for the suspension of advertising due to the fire, plaintiff law firm would have earned for services actually performed for such new clients within 12 months of the fire or from such new cases that resolved within 12 months of the fire." *Bernstein Liebhard, LLP v. Sentinel Insurance Company, Limited*, 162 A.D. 3d 605, 606 (1st Dep't 2018).

In accordance with the First Department's holding, Bernstein Liebhard is writing to formally amend its claim. Bernstein now claims damages in the sum of at least \$13,275,000.00, representing the approximately 75% portion of Bernstein's fees it would have earned (on a quantum meruit basis) during the 12 months following the loss.

We reserve the right to amend and/or supplement this claim as we have since presenting our initial claim to Sentinel.

Very truly yours,

  
Stanley D. Bernstein

Index No: 652726

Year: 2015

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 48

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BERNSTEIN LIEBHARD LLP,

Plaintiff,

-against-

SENTINEL INSURANCE COMPANY, LIMITED,

Defendant.

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**REPLY AFFIRMATION OF JOHNATHAN C. LERNER**

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*Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney duly admitted to practice law in the State of New York, certifies that, upon information and belief based upon reasonable inquiry, the contentions contained in the annexed document are not frivolous.*

Dated: April 15, 2019

Signature: 

Print Signer's Name: Johnathan C. Lerner

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Service of a copy of the within

is hereby admitted.

Dated:

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Attorney(s) for

**LERNER, ARNOLD & WINSTON, LLP**

Attorneys for Plaintiff  
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